



E.3230R1C52

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goddard, et al.
Appl. No. : 10/063,578
Filed : May 3, 2002
For : ANTIBODIES THAT BIND A
PRO1158 POLYPEPTIDE
Examiner : Zachary C. Howard
Group Art Unit : 1646

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 30, 2007

(Date)

Daniel Hart, Reg. No. 40,637

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF WILLIAM WOOD UNDER 37 C.F.R. 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, William Wood, declare and state:

1. The purpose of this declaration is to establish that the sequence provided in Figure 270 of PCT/US99/12252 (published as WO 99/63088) is a publication of Applicants' own invention.

2. I am one of the co-inventors of the invention claimed in the above-identified application and am familiar with the specification, claims, and prosecution history thereof. These claims are directed to isolated antibodies which specifically bind to the polypeptide of SEQ ID NO: 68.

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3. I have read the Office Action mailed October 31, 2006, and understand that Claims 1-5 have been rejected under 35 U.S.C. § 102(a) as being anticipated by the sequence provided in Figure 270 of WO 99/63088 filed by Baker et al.

4. The named inventors of the present application are Audrey Goddard, Austin L. Gurney, William Wood and Christopher J. Grimaldi.

5. The inventors of WO 99/63088 who are not named as co-inventors on the present application are Kevin Baker, Jian Chen, Victoria Smith, and Colin Watanabe. Each of them were involved in the inventions disclosed in WO 99/63088 other than the polypeptide sequence depicted in Figure 270 thereof.

6. I declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity and/or enforceability of the application and/or any patent issuing therefrom.

Dated: 1/9/07

By: William L Wood

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